REMARKS

Claims 1-31 were pending. By virtue of this response, claims 1-30 have been amended, claim 31 has been cancelled, and claims 32-45 have been added. Therefore, claims 1-30 and 32-45 are still presently pending. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter is added.

Claim Objections

Claims 4-14 and 18-31 are objected to under 37 CFR 1.75(c) as allegedly being in improper form because a multiple dependent claim cannot depend from another multiple dependent claim.

In response, claims 4-14 and 18-30 have been amended, and claim 31 has been cancelled. Applicants respectfully request the claim objections to claims 4-14 and 18-30 be withdrawn. Applicants further request reconsideration of claims 4-14 and 18-30.

Claim Rejections Under 35 U.S.C. §112

Claims 1, 4-14, and 18-31 are rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In response, claim 1 has been amended to recite "whereby authentication of a User Subscriber Identity Module (USIM) **is** performed in the RADIUS Server." (Emphasis added). Applicants respectfully request the claim rejections under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claims 4-14 and 18-31 are rejected as being of indefinite scope as they are multiple dependent claims that depend from multiple dependent claims. In response, claims 4-14 and 18-30

have been amended, and claim 31 has been cancelled. Applicants respectfully request the claim rejections to claims 4-14 and 18-30 be withdrawn.

Claim Rejections Under 35 U.S.C. §102

Claims 1-3 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Jones et al. (WO 02/011467) ("Jones").

The Examiner admits that Jones does not disclose "whereby authentication of a User Subscriber Identity Module (USIM) may be performed in the RADIUS Server means," as recited in claim 1. (See page 4, lines 3-5 of Office Action). However, the Examiner states that the feature is not considered to be positively recited in claim 1 because the phrase "may be" is indefinite. (See page 3, lines 1-4 of Office Action).

In response, claim 1 has been amended to recite "whereby authentication of a User Subscriber Identity Module (USIM) **is** performed in the RADIUS Server." (Emphasis added). Because Jones does not disclose the above element, Applicants respectfully submit that claim 1 is allowable over Jones. Applicants further submit that claims 2-14 are allowable over Jones for at least the reason that each depends from an allowable base claim.

Claim Rejections Under 35 U.S.C. §103

Claims 1-3 and 15-17 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Jones in view of Kalavade et al. (U.S. Publication No. 2003/0051041) ("Kalavade").

In response, Applicants respectfully disagree. Claim 1 recites, among other things, "the SGSN and the RADIUS Server being configured to support signalling there between **whereby authentication of a User Subscriber Identity Module (USIM) is performed in the RADIUS Server**." (Emphasis added).

The Examiner points to Kalavade, in particular sections [0209] and [0213], as disclosing the above element. However, in contrast to performing the authentication of the USIM **in the RADIUS server itself**, Kalavade discloses that authentication is **performed by the authentication module**, which is situated in CBG 10 (converged billing/authentication gateway) and is a **separate module from the RADIUS server**. (See Figure 9). Figure 9 is described in section [0209] as follows:

> **The CBG receives the authentication request from the RADIUS server as a RADIUS message**. **The CBG in turn, authenticates the user** by checking its local database. Also, in some cases the CBG may do the additional SIM check or the phone check to get authentication information. Once the user is authenticated, **the CBG sends an Access Response to the RADIUS client through the RADIUS server** and the user is then authenticated.
>
> (Emphasis added).

In other words, the authentication request/response is forwarded by the RADIUS server while the authentication is performed by the CBG. The Examiner has not provided any support that positively states that the authentication is performed in the RADIUS server.

The Examiner points out that section [0209] discloses that the CBG may function as a remote RADIUS server.

However, Figure 9 explains that the RADIUS server has a distributed design and that the remote RADIUS server module is physically located in a CBG together with other modules, such as the authentication module, the user database, and the HLR proxy. Although the remote RADIUS server module may be "physically" located in the same chassis, hardware, or software platform as the rest of the CBG, the RADIUS server module is "logically" separated from the rest of the CBG because the RADIUS server module appears as a separate box in Figure 9, separate from the authentication module, and not integrated into the RADIUS server module. Therefore, authentication is **not performed in the RADIUS server**.

Therefore, Applicants respectfully assert that it is erroneous to infer from the above sentence that the CBG is the RADIUS server and thus the authentication is performed in the RADIUS server.

The Examiner further points out that section [0213] discloses that "if no RADIUS server is associated with the hotspot, then the **CBG can provide the complete authentication** as well as functioning as the RADIUS server." Here, Kalavade discloses that the authentication is performed in the CBG rather than in the RADIUS server. Kalavade also fails to suggest that the authentication functionality is integrated into the RADIUS server.

In contrast to Kalavade, Figure 2 of the present application illustrates that the authentication function 270B is **integrated into the RADIUS server**. The authentication functionality is provided in software in the RADIUS server, rather than by provision of a dedicated unit for authentication. (See paragraph [0037]). This implementation requires configuration of the signalling between the UMTS network and the RADIUS server, but the benefit is that it is cheaper. (See Abstract at line 8).

Therefore, the combination of Jones and Kalavade fails to at least disclose or suggest "the SGSN and the RADIUS Server being configured to support signalling there between **whereby authentication of a User Subscriber Identity Module (USIM) is performed in the RADIUS Server**," as recited in claim 1. (Emphasis added).

Independent claims 15 and 32 are similar to claim 1. Therefore, for at least the forgoing reasons, Applicants respectfully submit that claims 1, 15, and 32 are allowable over Jones in view of Kalavade. Applicants further submit that claims 2-14, 16-30, and 33-45 are allowable over Jones in view of Kalavade for at least the reason that each depends from an allowable base claim.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **Docket No. 562492003900**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: April 15, 2009

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